

April 9, 2021

HOUSE EXECUTIVE MESSAGE NO. 22

The Honorable Brian Egolf, Jr., Speaker of the House and
Members of the House of Representatives
State Capitol Building
Santa Fe, New Mexico 87501

Dear Speaker Egolf and Members of the House:

I am pleased to sign House Taxation and Revenue Committee Substitute for House Bill 285, as amended, with emergency clause, with certificate of correction (“House Bill 285”), and enact into law funding for significant infrastructure investments throughout New Mexico. Sound investment of public funds is essential for the State’s economic growth, protection of New Mexico’s natural resources, and the quality of life of New Mexico communities. This bill funds more than \$511 million in projects. A total of \$170 million in state agency capital projects are funded, including \$10 million for statewide improvements at correctional and department of health facilities, \$12.5 million for Local Economic Development Act projects, approximately \$7 million for broadband statewide, \$8 million for public safety radio communications, \$8 million for general services department facilities statewide and \$6 million for cultural affairs facility improvements statewide. The bill also funds over \$52 million for tribal projects, almost \$48 million for public safety projects, \$61 million for water and wastewater projects, approximately \$49 million for higher education institutions, about \$34 million for public schools, \$53 million for road projects, and over \$8 million for acequias, ditches and dams.

While House Bill 285 does much to address our State’s infrastructure needs, the bill includes several projects that lack proper planning or are not ready to proceed. For these and other reasons, I have vetoed \$400 thousand in general fund projects and \$5.8 million in severance tax bond projects. Together, these two categories of vetoes comprise approximately 1.2% of the total amount of capital outlay provided for in House Bill 285.

In some instances, I have exercised the power accorded to me by Article IV, Section 22 of the New Mexico Constitution to disapprove “any part or parts” of House Bill 285. I have done so to remove unduly or unnecessarily restrictive language on decisions well within the agencies’ executive discretion, to ensure funds are appropriated to the correct fiscal agent, or to make certain that capital outlay funds are sufficient to fund corresponding public projects. I have also vetoed

appropriations where the recipients have not yet used their capital funds from the current fiscal year. There is no need to devote more of New Mexico's money to projects that are not moving forward.

As I mentioned last year in House Executive Message No. 86, the capital outlay process mainly exists to fund intelligent investments into critical infrastructure, and relatively small projects should not be addressed by capital outlay funds. State and local governments have other means well within their capacities to fund these smaller projects. Accordingly, I have vetoed capital outlay appropriations under \$10,000. In some instances, vetoed projects may be funded through other sources. If the available funds for the vetoed projects are insufficient and the need is dire, I encourage the legislative sponsors to contact me.

New Mexico individuals and families deserve our best efforts to allocate capital resources to projects that meet the needs of local communities and prioritize our most significant needs and common goals. Viewed as a whole, this legislation furthers those ends.

Accordingly, I this day SIGN and RETURN:

HOUSE TAXATION & REVENUE COMMITTEE SUBSTITUTE FOR HOUSE BILL 285, as amended, with emergency clause, with certificate of correction, which was enacted during the Fifty-Fifth Legislature, First Session, 2021, except the following item or items, part or parts, which I hereby veto pursuant to the authority granted me in Article IV, Section 22 of the New Mexico Constitution:

On page 24, I have vetoed lines 9 through 12, and on line 13, I have vetoed the word "county" through the ";" leaving the word "and".

On page 45, I have vetoed lines 21 through 24.

On page 101, I have vetoed lines 23 through 25.

On page 102, I have vetoed lines 1 through 3.

On page 103, I have vetoed lines 2 through 4.

On page 104, I have vetoed lines 20 through 22.

On page 105, I have vetoed lines 11 through 13.

On page 106, I have vetoed lines 4 through 6.

On page 106, I have vetoed lines 12 through 14.

On page 113, I have vetoed lines 21 through 25.

On page 114, I have vetoed lines 4 through 7.

On page 116, I have vetoed lines 22 through 24.

On page 117, I have vetoed lines 10 through 12.

On page 117, I have vetoed lines 23 through 25.

On page 173, I have vetoed lines 20 through 24.

On page 200, I have vetoed lines 15 through 17, and on line 18, I have vetoed the word “county” through the “;” leaving the word “and”.

On page 202, on line 21, I have vetoed the words “for Kelly hall”.

On page 203, I have vetoed lines 17 through 20.

On page 204, I have vetoed lines 7 through 12.

On page 204, on line 22, I have vetoed the words “and xeriscape landscaping” leaving the comma “,”.

On page 204, I have vetoed lines 24 through 25, and on page 205, I have vetoed lines 1 through 3.

On page 205, I have vetoed lines 4 through 8.

On page 205, on line 20, I have vetoed the second comma “,” through the word “landscaping”.

On page 206, on line 16, I have vetoed the words “the El Rito and Espanola campuses of”.

On page 206, on line 23, I have vetoed the word “construct” through the third comma “,”, and on line 24, I have vetoed the words “facility and”.

On page 208, I have vetoed lines 17 through 22.

On page 210, I have vetoed lines 6 through 9.

On page 212, on line 15, I have vetoed the fifth comma “,” through the word “landscape”.

On page 222, on line 24, I have vetoed the word “new”.

On page 223, I have vetoed lines 2 through 9.

Respectfully yours,

Michelle Lujan Grisham
Governor

RECEIVED FROM THE OFFICE OF THE GOVERNOR

Time: _____ a.m. p.m.

Date: _____ 2021

By _____
Secretary of State

Time: _____ a.m. p.m.

Date: _____ 2021

By _____
Chief Clerk of the House